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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/855,220	05/14/2001	Mirsad Hadzikadic	46872.253156	9820
75	590 07/21/2005		EXAM	INER
Steven Gardner, Esquire			ROBINSON, GRETA LEE	
Kilpatrick Stockton, LLP 1001 West Fourth Street		ART UNIT	PAPER NUMBER	
Winston-Salem	, NC 27101-2400		2167	
		DATE MAILED: 07/21/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Applicant(s) Ap			·				
Examiner Art Unit 2197		Application No.	Applicant(s)				
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE Of this communication. Provided for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. The MAILING DATE OF THIS COMMUNICATION. If the period for reply specified above is less than thisly (30) caps, a reply white in the stateby minimum of thery (00) days will be considered it merely. If the period for reply specified above is less than thisly (30) caps, a reply white the stateby minimum of thery (10) days will be considered it merely. If the period for reply specified above is less than thisly (30) caps, a reply white the stateby minimum of thery (10) days will be considered it merely. If the period for reply specified above is less than thisly (30) caps, a reply white the stateby minimum of thery (10) days will be considered it merely. If the period for reply specified above is less than thisly (30) caps, a reply white the stateby minimum of the provider of the communication. If the period for reply specified above is less than thisly (30) caps, a reply white the stateby minimum of the provider day (10) caps, a replication. Fallula for replace and the stateby minimum of the period of the communication, and the period of the communication. If the period of the period of the period of the communication of the period of the communication. Fallula for period of the period of the period of the communication. Priod of the above claim(s)	Office Action Summers	09/855,220	HADZIKADIC ET AL.				
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Application/Control Number: 09/855,220

Art Unit: 2167

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

- 1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 4, 2005 has been entered.
- 2. Claims 1-7 are pending in the present application. Claim 1 has been amended.

Claim Rejections - 35 USC § 103

- 3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 4. Claims 1 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abraham et al. US Patent 5,291,593 in view of Kavanagh et al. US Patent 5,838,965.

Regarding claim 1, Abraham et al. teaches a computer-implemented method of classifying an instance [note: column 4 lines 14-31] comprising the steps of:

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receiving an instance to be classified, the instance to be classified comprising at least one attribute and a corresponding relevant value [note: Figure 8; col. 1 lines 22-54];

determining a best host for the instance to be classified [note: column 4 line 57] through column 5 line 21; column 6 lines 1-66]; and

inserting the instance to be classified into a location relative to at least one child of the best host within a classification structure, the classification structure comprising at least one node, and the node comprising at least one attribute and corresponding relevance value [note: abstract; column 5 lines 7-21; object management table 412 Figure 4; instance ID and instance data frame address 422 Figure 5; also note object reference Figures 6-8].

Although Abraham et al. teaches the invention substantially as cited above, they do not explicitly teach inserting the instance. Kavanagh et al. teaches an object-oriented representation inserting instances in a hierarchical structure that may be logically represented as a tree structure [note: abstract; Figure 66; column 34 lines 53-60; and column 35 lines 1-18]. It would have been obvious to one of ordinary skill at the time of the invention to have combined the cited references because the ability to insert instances would provide real-time access.

Regarding claim 7, wherein the method steps are carried out in real-time [note: column 35 lines 1-18].

Allowable Subject Matter

5. Claims 2-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

6. Applicant's arguments with respect to claims 1 and 7 have been considered but are most in view of the new ground(s) of rejection.

Applicant's remarks and amendment overcomes the rejections cited uder 35 Usc 112 first and second paragraph and 35 USC 101.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greta L. Robinson whose telephone number is (571)272-4118. The examiner can normally be reached on M-F 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on (571)272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

FRIMARY EXAMINER
Greta Robinson

Primary Examiner July 19, 2005